

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

THIS DOCUMENT RELATES TO
ALL ACTIONS

)
)
) MDL No. 1456
) CIVIL ACTION 01-CV-12257-PBS
) Magistrate Judge Bowler
)
)

**DECLARATION OF AIMÉE E. BIERMAN IN SUPPORT OF
AVENTIS PHARMACEUTICALS, INC.'S OPPOSITION TO
PLAINTIFFS' CROSS-MOTION TO CONDUCT MORE THAN TEN DEPOSITIONS**

I am an associate at the law firm of Kirkpatrick & Lockhart Nicholson Graham LLP, representing Defendant Aventis Pharmaceuticals, Inc. I offer this declaration in support of Aventis Pharmaceuticals, Inc.'s Opposition to Plaintiffs' Cross-Motion to Conduct More Than Ten Depositions.

1. Attached as Exhibit A is an excerpt of the September 19, 2005 hearing transcript.
2. Attached as Exhibit B are the April 20, 2005 Notice of Rule 30(b)(6) Deposition, May 6, 2005 Notice of Deposition (CT), and May 13, 2005 Notice of Rule 30(b)(6) Deposition.
3. Attached as Exhibit C is an excerpt of the July 22, 2005 Brunken Deposition Transcript (filed under seal).
4. Attached as Exhibit D is the July 1, 2005 Notice of Deposition of John Cervione.
5. Attached as Exhibit E is the February 18, 2004 Affidavit of John Cervione.
6. Attached as Exhibit F is an excerpt of the August 9, 2005 Cervione Deposition Transcript (filed under seal).
7. Attached as Exhibit G is an excerpt of the September 14, 2005 Chrenko Deposition Transcript (filed under seal).
8. Attached as Exhibit H is an excerpt of the August 12, 2005 Gisserot Deposition Transcript (filed under seal).
9. Attached as Exhibit I is an excerpt of the August 19, 2005 Hoppenot Deposition Transcript (filed under seal).

I declare under penalty of perjury that the foregoing is true and correct.

November 16, 2005

/s/ Aimée E. Bierman

Aimée E. Bierman